Transforming the Department of Defense Legislative Program

History of DoD Legislative Cycle

During the last five legislative cycles:

- the General Counsel signed the annual Call for Proposals' memorandum as early as August 22 and as late as October 1
- the Department submitted its draft authorization bill to Congress as early as March 3 and as late as April 19

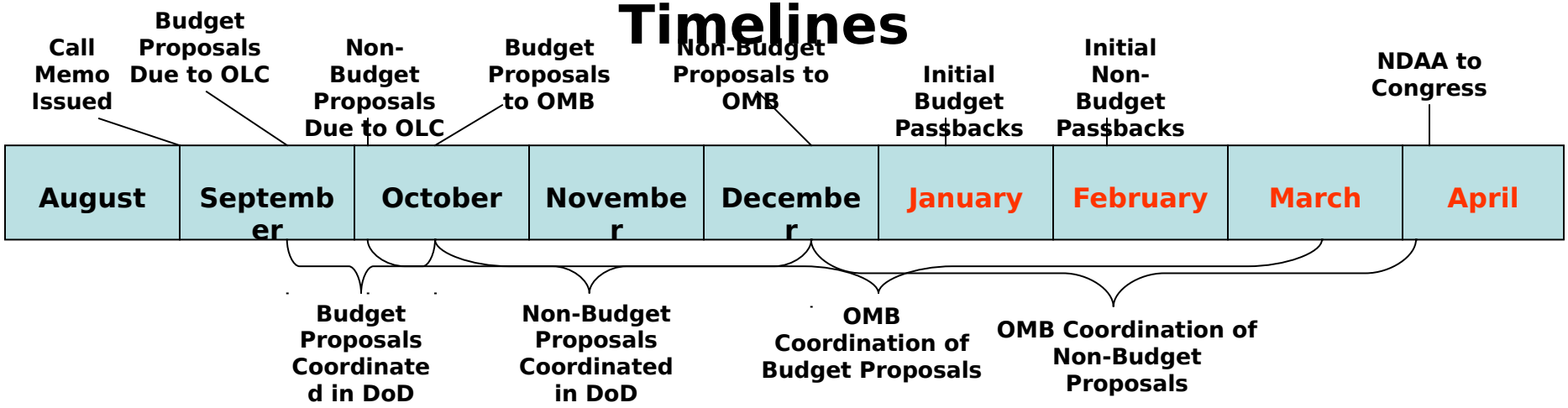
Changes to Legislative Cycle

- The Department will issue the annual Call for Proposals memo on June 15 to correspond with existing timelines for preparing the Department's budget.
- Comptroller will process the Department's appropriation proposals during the same time frame.
- The Department submission of appropriation and authorization proposals to OMB will coincide with one another.
- By starting the legislative cycle in June, the intent is to complete – and send to Congress – the annual national defense authorization bill (NDAA) immediately after the President’s budget.

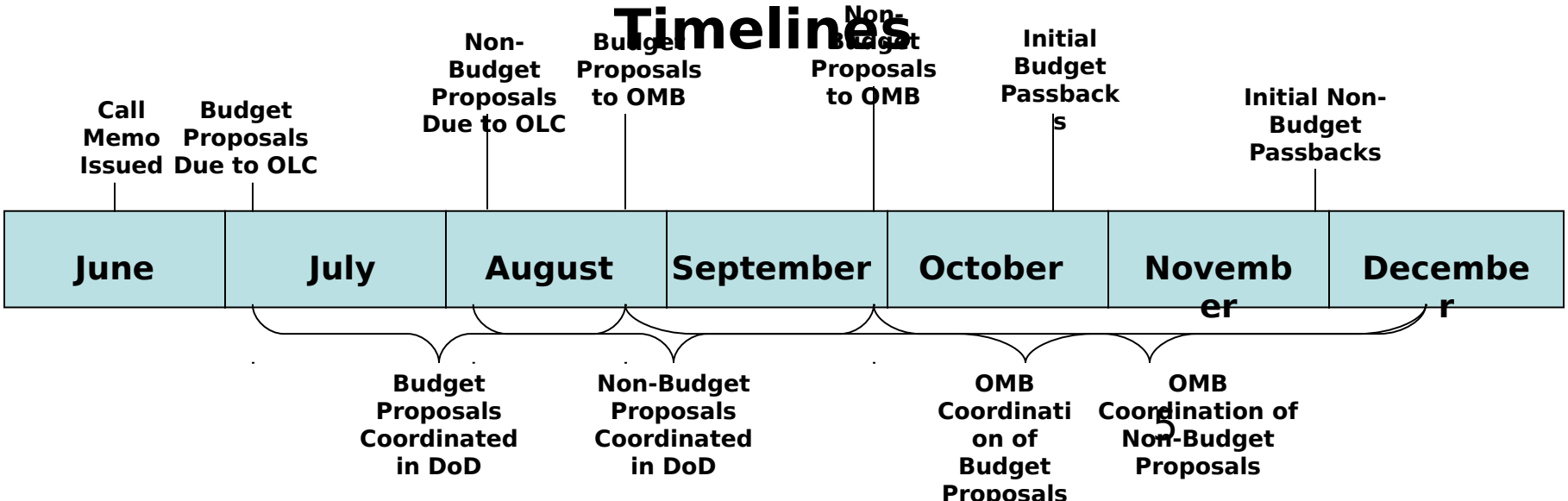
New Legislative Cycle Timelines

- June 15 -- Distribute Call Memo throughout DoD
- July 7 -- Submit budget proposals to OLC for DoD coordination and clearance
- August 7 -- Submit non-budget proposals to OLC
- August 21 -- Submit budget proposals to OMB for clearance
- October 6 -- Submit non-budget proposals to OMB
- October 23 -- Receipt of initial OMB budget passbacks
- November 29 -- Receipt of initial OMB non-budget passbacks
- After the POTUS Budget -- Transmit NDAA to Congress

Fiscal Year 2007 Timelines



New Fiscal Year 2008 Legislative Cycle Timelines



iscipline and Accountability

To Accomplish the Proposed Changes:

1. Senior Leadership will need to take a more <u>active role</u>.
   - Provide more direct engagement to maintain discipline.
   - Re-identify primary and secondary points of contact before they can participate.
   - Make more immediate decisions to resolve disputes within DoD and with OMB.
   - OLC will directly engage Principals throughout process.
2. More emphasis will be placed on a <u>strict adherence</u> to the new timelines and resubmission guidelines.
   - Over the past two years:
     - 38 of 81 budget proposals were submitted to OLC on time.
     - 139 of 508 non-budget proposals were submitted on time; 48 were submitted more than 3 months late.

Implementation of New Disciplined Timelines

1. Late proposals submitted after the established deadlines will proceed under the current, non-accelerated timelines and be transmitted to Congress after the NDAA.
2. If the submitting agency makes a convincing case to justify the late submission, OLC will give the proposal an expedited coordination for possible incorporation in the NDAA.
   - For example, the agency provides documentation that the proposal could not be submitted on time because analysis or data necessary for its drafting was not available until after the deadline.

Resubmissions

1. Proposals previously cleared by OMB will be given a streamlined review.
2. Proposals that failed to pass in the ’07 NDAA will be accepted and immediately processed into the OLC system if sufficient justification is given for their resubmission.
3. Proposals resubmitted after being previously rejected by OMB or DoD will require additional justification provided by the principal before OLC will accept them.

Added Participation

1. Legislative Affairs will provide Congress' perspective on proposals throughout the coordination process.
   - ASD LA will also provide perspective on resubmissions.
2. Comptroller will provide a special review of all budget-related proposals to determine their fiscal viability.
   - The review will be coordinated with the creation of appropriation proposals.

Major Benefits of Proposed Changes

1. Crafts a legislative package that more accurately reflects the Secretary’s priorities
2. Adds more fiscal discipline and efficiency to the NDAA and Comptroller's Budget Processes
3. Creates a more comprehensive and cohesive package for the Office of Management and Budget (OMB) and Congress
4. Condenses the current 7-8 month cycle into 6 months while building-in additional time for OMB clearance and senior DoD leadership review
5. Makes the NDAA process more disciplined by providing DoD leadership with more direct control over proposed legislation

Secondary Benefits of Proposed Changes

Earlier delivery of legislation to Congress

1. Enables senior leadership to openly discuss the Department's proposals during posture hearings
2. Provides more time for committee staffers to review proposals included in the NDAA
3. Provides more time for DoD officials to discuss proposals with staffers and members of Congress
4. Allows ASD Legislative Affairs the opportunity to more effectively support enactment of Departmental initiatives